

**KEY FEATURES OF THE
MEMORANDUM OF UNDERSTANDING
BETWEEN ATF AND NIBIN PROGRAM PARTNERS**

Ballistic imaging systems provided and deployed by ATF to other Federal, State, or local authorities may be used only for imaging operations associated with criminal enforcement functions. Systems deployed to other Federal, State, or local authorities shall not be used to capture, search, or store ballistic images acquired at the point of manufacture, importation, or sale.

ATF RESPONSIBILITIES

EQUIPMENT AND FUNDING

- ATF will furnish all equipment and will install it within the confines of the partner agency.
- ATF will maintain equipment and will repair or replace inoperable or outdated equipment in an expeditious manner, subject to funding and availability.
- ATF will provide upgrades to the equipment or software, subject to funding.
- Training related to the initial equipment installation, upgrades of the network system, software, or other components may be provided by ATF or the manufacturer.
- ATF will ensure that, to the extent possible, all recovered firearms entered into NIBIN are traced and that the results are promptly provided to the submitting agency.
- ATF is the owner of the NIBIN equipment and the information stored in the database.

PARTNER AGENCY RESPONSIBILITIES

- Partner agency will assume responsibility for the installation, use and maintenance of communication lines, under its control, necessary to link NIBIN equipment.
- Partner agency will provide access to the NIBIN equipment to any other law enforcement agency whenever feasible. It will assume full liability and responsibility for the establishment and administration of such access for any other law enforcement agency authorized by mutual agreement.

- Maintenance and repairs as the result of unauthorized movement, alteration, damage or destruction will not be assumed by ATF. Partner agency must obtain authorization from ATF prior to any movement or repairs of the equipment. Partner agency will assume full cost.
- Partner agency will provide adequate space and will maintain the necessary level of security to assure the integrity of the equipment.
- Operations are subject to audit by ATF, the US Treasury Department, the Office of the Inspector General, the Government Accounting Office, and other auditors of the US Government.
- Partner agency will provide, subject to the availability of funding, sufficient personnel to operate equipment.
- Partner agency will assume the cost of training replacement personnel.
- Partner agency will enter into NIBIN program and its database all firearms, projectiles and cartridge cases related to crimes, occurring within its jurisdiction meeting the criteria established by ATF and the agency.
- Partner agency will trace all firearms recovered within its jurisdiction.
- Partner agency will provide to ATF historical, statistical, and case adjudication information on the use and results of the use of NIBIN equipment.
- Partner agency will agree to use standardized procedures and policies for collecting, handling, documenting, transporting, and preserving firearms, projectiles, casings and similar evidence submitted for analysis and input into the ATF owned NIBIN equipment.